

**IN THE UNITED STATES DISTRICT COURT  
FOR WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

**DR. ROBERT W. MALONE**

**Plaintiff**

**v.**

**Case Number: 3:22-cv-63**

**PETER R. BREGGIN, MD.  
GINGER ROSS BREGGIN,  
AMERICA OUT LOUD,  
DR. JANE RUBY**

**And**

**RED VOICE MEDIA**

**Defendants.**

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**MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Peter R. Breggin, MD. And Ginger Ross Breggin (collectively, the “Breggin Defendants”), by counsel, move this Court to dismiss with prejudice the Complaint filed by Dr. Robert W. Malone, (the “Plaintiff”) because the Plaintiff has failed to state a claim upon which relief can be granted. The grounds and reasons for granting this relief are stated in the accompanying Memorandum which is filed contemporaneously herewith and incorporated herein.

Respectfully Submitted,

PETER R. BREGGIN, MD.  
GINGER ROSS BREGGIN  
By Counsel

By: /s/ William M. Stanley  
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### **CERTIFICATE**

I hereby certify that on the 8<sup>th</sup> day of June, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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By: /s/ William M. Stanley